

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,	:	
Plaintiff,	:	
vs.	:	Case No. 2:21-CR-227
	:	
YOUSIF AMIN MUBARAK,	:	JUDGE EDMUND A. SARGUS, JR
	:	MAGISTRATE JUDGE DEEVERS
Defendant.	:	

JOINT MOTION TO REVOKE BOND CONDITIONS

Come Now, the undersigned parties herein and move this Court to revoke Mr. Mubarak's conditions of release (ECF No. 20) and order him detained in the custody of the United States Marshals in order to facilitate the transportation of Mr. Mubarak by the United States Marshals to a Bureau of Prisons Medical Facility in order to effectuate a current order for a pretrial competency evaluation. *See* ECF No. 41.

The grounds for this motion are set forth in the attached Memorandum. Undersigned counsel submits that the requested extension would serve the interests of justice and that the time would be excludable pursuant to 18 U.S.C. § 3161(h)(1)(A), (h)(1)(F), (7)(A) and (B)(iv).

Respectfully submitted,

DEBORAH L. WILLIAMS
FEDERAL PUBLIC DEFENDER

/s/ Stacey MacDonald
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MEMORANDUM IN SUPPORT OF MOTION

On November 18, 2021, the Grand Jury returned an Indictment against Mr. Mubarak charging him with two counts of Transmission of a Threat in Interstate Commerce from September 1, 2021 to September 12, 2021 pursuant to 18 U.S.C. § 875(c). He was released on conditions of electronic home confinement on November 18, 2021. *See* ECF No. 20. However, Mr. Mubarak never left custody. He was subsequently transferred to Licking County where he bonded out on two misdemeanor offenses and was then transported to Franklin County where he is currently held on a \$50,000 bond on a pending OVI case. Both misdemeanor cases predate the allegations in this case.

On January 10, 2022, defense counsel raised concerns of competency and

requested that Mr. Mubarak receive an in-custody pretrial competency evaluation. This motion was unopposed. On January 13, 2022, Judge Sargus entered an order for Mr. Mubarak to be transferred to a Bureau of Prisons Medical Facility for Evaluation and any restorative treatment as deemed necessary. *See* ECF No. 41. The United States Marshals are unable to comply with this order while Mr. Mubarak is primarily detained on the Franklin County Municipal Court matter and released on this Federal case.

The parties have coordinated with the respective parties in the Franklin County Municipal Court case. The prosecutor in the Municipal Court case has agreed to seek a bond for Mr. Mubarak should Mr. Mubarak's bond be revoked federally for the purposes of his transfer for evaluation. The prosecutor believes such a request would be granted by Franklin County Municipal Court Judge Green.

WHEREFORE, for the reasons set forth above, the parties respectfully request this Court grant this joint motion to revoke the release conditions and order Mr. Mubarak into the custody of the United States Marshals for the pendency of the competency evaluation and treatment. Once complete and a competency hearing held or decision reached by the Court, the parties reserve the right to raise the issue or continued detention or release in the federal case.

Respectfully submitted,

DEBORAH L. WILLIAMS
FEDERAL PUBLIC DEFENDER

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